REMARKS/ARGUMENTS

In response to the Office Action dated May 6, 2004, claims 1, 8 an 15 are amended. Claims 1-22 are now active in this application. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 4, 5, 7-9, 11-15 and 19-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tarr et al. (USPN 5,184,179) in view of Jarvis (USPN 5,918,010), for the reasons substantially of record.

II. Claims 1-3, 6, 10 and 16-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tarr et al. et al. in view of Jarvis, and further in view of Frantz (USPN 6,003,070).

III. To expedite prosecution, claim 1 is amended to delineate:

> a control unit for controlling an apparatus based on the received mail when the validity of the mail has not expired and for transmitting a notice, which indicates the invalidity of the mail, to the management unit when the validity of the mail has expired.

This subject matter added to claim 1 is supported by the description at page 23, lines 17-20 of the specification and step S921 of Fig. 13 of the drawings, and was recited in dependent claim 20, now cancelled.

In the Official Action regarding claim 20, the asserts "Regarding claim 20, sending information to the management device vial the communication network when the command has expired (Tarr: col 6/lines 39-54)."

However, column 6, lines 46-51 of Tarr et al. specifically describe that:

> ... When the two time periods match, monitoring system CPU 24 sends a signal through modem 14 to billing computer 38 indicating that the predetermined time period has ended and forwards the total count value to the billing computer.

Thus, in Tarr et al., the signal that is sent to the billing computer does **NOT** indicate the invalidity of the mail, which is received from the management unit. The indication is only that the predetermined time period has ended.

Consequently, Tarr et al. does not disclose or suggest "a control unit for controlling an apparatus based on the received mail when the validity of the mail has not expired ***and for transmitting a notice, which indicates the invalidity of the mail, to the management unit when the validity of the mail has expired.***" Jarvis and Frantz also do not disclose or suggest ***transmitting a notice, which indicates the invalidity of the mail, to the management unit when the validity of the mail has expired.***

Independent claims 4, 8, 14,, 15, 16 and 19 are similarly amended

Thus, amended independent claims 1 4, 8, 14, 15, 16 and 19 are patentable over Tarr et al., Jarvis and Frantz, as are dependent claims 2, 3, 5-7, 9-13, 17 and 18, the allowance of which is respectfully solicited.

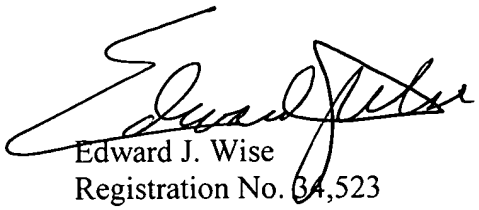
CONCLUSION

Accordingly, it is urged that the application, as now amended, overcomes the rejection of record and is in condition for allowance. Entry of the amendment and favorable reconsideration of this application, as amended, are respectfully requested. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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